

IN THE UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

MISSOURI PRIMATE FOUNDATION, )  
et al., )  
 )  
Plaintiff, )  
 ) Case No: 4:16-cv-2163-CDP  
v )  
 )  
PEOPLE FOR THE ETHICAL )  
TREATMENT OF ANIMALS, INC., et )  
al. )  
 )  
Defendant. )

**COUNTERCLAIM DEFENDANT CONNIE CASEY'S MOTION FOR LEAVE TO FILE  
FIRST AMENDED ANSWER TO COUNTERCLAIM**

COMES NOW Counterclaim Defendant Connie Casey, by and through undersigned counsel, and for her Motion for Leave to File her First Amended Answer, states as follows:

1. This Court has entered a Case Management Order giving the parties until January 8, 2019 to make amendments to their pleadings.
2. Counterclaim Defendant Connie Casey seeks to file a First Amended Answer, pleading certain affirmative defenses with more specificity.
3. Under Fed. R. Civ. P. 15, timely applications for leave to amend pleadings are to be liberally granted. Poopalii v. Correctional Medical Services, 512 F.3d 488, 497 (8<sup>th</sup> Cir. 2008) (“a district court should freely give leave”).
4. A copy of the proposed First Amended Answer is attached hereto as Exhibit A.
5. The proposed First Amended Answer does not substantially alter the issues in the case.

6. No party will be prejudiced by this amendment because it will not substantially alter the scope of discovery.

WHEREFORE, Counterclaim Defendant Connie Casey prays that this Court grants her Motion for Leave to File her First Amended Answer, and for such other and further relief this Court deems necessary and proper under the circumstances.

RYNEARSON, SUESS, SCHNURBUSCH &  
CHAMPION, LLC.

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#### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that a true and correct copy of the foregoing document was sent by email and the Court's electronic filing system on this 8<sup>th</sup> day of January 2019 to:

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